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### REMARKS

In this Response, Applicant amends claims 1-5 and 15-18 and traverses the Examiner's rejections. Silence with regard to any of the Examiner's rejections should not be construed as acquiescence to any of the rejections. Specifically, silence with regard to any of the rejections of the dependent claims that depend from an independent claim considered by Applicant to be allowable based on the Amendment and/or Remarks provided herein should not be construed as acquiescence to any of the rejections. Rather, silence should be construed as recognition by the Applicant that the previously lodged rejections are moot based on the Amendment and/or Remarks submitted by the Applicant relative to the independent claim from which the dependent claims depend. Applicant reserves the option to further prosecute the same or similar claims in the instant or a subsequent application. Upon entry of the Amendment, claims 1-18 are pending in the instant application.

#### Telephone Interview

Applicant acknowledges with appreciation the courtesy extended by the Examiner in conducting a telephone interview on June 18, 2003 with the Applicant's Attorneys. During the interview, the Examiner and the Applicant's Attorneys discussed the features of Applicant's independent claim 1 and the cited prior art.

#### Amendments to the Claims

Applicant amends claims 1-5 and 15-18 to address antecedent basis issues.

The claim amendments do not narrow the claims. Further, the claim amendments are not related to patentability.

Support for the claim amendments can be found throughout the originally filed application. The claim amendments thus do not provide new matter.

#### Claim Rejections

The Examiner rejected claims 1-3 and 6-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,474,851 to Plutowski in view of Plutowski's admitted prior art (hereinafter referred to as Plutowski's APA).

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The Examiner also rejected claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Plutowski and Plutowski's APA and further in view of U.S. Patent No. 6,493,717 to Junkin.

*Claims 1-18*

Applicant's independent claim 1 is directed to a method of associating different criteria on a page to one or more products. Among other things, Applicant's claim 1 includes receiving option selections based on *different criteria*, assigning membership grades to the option selections, *relating the option selections to the one or more products*, and *forming master membership grades for the one or more products* based on the option selection membership grades.

The Examiner stated that "Plutowski does not explicitly disclose the step of assigning membership grades to the option selections, *relating the option selections to the one or more products*, and, *forming a master membership grade for the one or more products* based on the option selection membership grades." (Emphasis supplied by the Applicant.) Applicant agrees with this portion of the Examiner's characterization of Plutowski.

The Examiner also stated that "Plutowski's admitted prior art (APA) does disclose the steps of assigning membership grades to the option selections, relating the option selections to the products, and, forming a master membership grade for the products based on the option selection membership grades (see Fig 1, steps a-j, column 15, lines 1-67, column 16, lines 1-11, Plutowski [in which t]he examiner interpreting the term police as criterion)." Applicant respectfully disagrees with Examiner's characterization of Plutowski's APA.

Applicant provides herein a brief description of the terminology used in Plutowski's APA. As described in Plutowski col. 1, ll. 43 ff, a "policy" represents a mapping between a stimulus and a set of candidate actions. The policy ranks the set of candidate actions by assigning either selection probabilities (e.g., Plutowski Figs. 1A, 1B, 1E, and 1F) or degrees of membership (e.g., Plutowski Figs. 1C and 1G-1I) to the candidate actions. Based on these rankings, a candidate action can be selected for execution. (Plutowski col. 1, ll. 58-60.) As described in Plutowski, col. 8, ll. 30 ff, two policies that map the *same* set of candidate actions to the *same* stimulus are said to be overlapping. Overlapping policies "can ... correspond to different ways of measuring *a single criterion* (e.g., 'user preference' can be measured multiple ways, e.g., by first-person subjective opinion via questionnaire, passive observation of actual tendencies, or by comparison

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to other similar people via collaborative filtering).” (Plutowski col. 10, ll. 38-43 [emphasis supplied by the Applicant].)

Plutowski describes several different scenarios in which overlapping policies for the same criterion are combined to generate a single composite policy for that exact same criterion. Most relevantly, Plutowski, Fig. 1G, shows a first fuzzy logic policy being combined with a second overlapping fuzzy logic policy, via Plutowski’s mixing function, to generate a composite fuzzy logic policy. As shown in Fig. 1G, the first fuzzy logic policy assigns degrees of membership to candidate actions labeled Action ID 1-5, the second fuzzy logic policy also assigns degrees of membership to these *same* candidate actions labeled Action ID 1-5, and the composite fuzzy logic policy assigns composite degrees of membership to, yet again, the *same* candidate actions labeled Action ID 1-5. Following from Plutowski, col. 8, l. 58 to col. 10, l. 5, the first and second fuzzy logic policies use first and second data sets, respectively, to map the *same set of candidate actions* to the *same stimulus*. In furtherance of this concept, at col. 10, ll. 38-43, Plutowski describes the overlapping policies (e.g., first and second fuzzy logic policies of Fig. 1G) as “different ways of measuring *a single criterion*.” The axes, description, and annotations of Plutowski’s Fig. 1G support this single criterion teaching by showing two overlapping policies *for a single, same criterion* being combined to generate a composite policy *for this same single criterion*.

In contrast, Applicant’s claim 1 includes *receiving option selections based on different criteria*. Since both Plutowski and Plutowski’s APA describe overlapping policies that include selections based on *the same single criterion*, neither teaches the feature of Applicant’s claim 1 directed to *receiving option selections based on different criteria*. Since neither Plutowski nor Plutowski’s APA teaches *receiving option selections based on the different criteria*, neither can teach any of the features of Applicant’s claim 1 directed to: assigning membership grades to the option selections, *relating the option selections to the one or more products*, and *forming master membership grades for the one or more products*.

In summary, neither Plutowski nor Plutowski’s APA, whether considered separately or in combination, teaches the features of Applicant’s independent claim 1 that includes *receiving option selections based on the different criteria, relating option selections to the one or more products, and forming master membership grades for the one or more products based on the option selection membership grades*.

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Applicant thus traverses the Examiner's rejection of independent claim 1, and Applicant considers independent claim 1 to be allowable. Since claims 2-18 depend from independent claim 1, Applicant also considers claims 2-18 to be allowable as depending on an allowable base claim, thereby traversing the Examiner's rejections of such claims. As such, Applicant's failure to specifically respond to the Examiner's rejections of dependent claims 2-18 does not provide, and should not be construed as, an acquiescence to the Examiner's rejections of such claims.

Based on the foregoing Amendment and Remarks, Applicant traverses the Examiner's rejections of claims 1-18 under 35 U.S.C. § 103(a).

### CONCLUSION

Applicant considers the Response provided herein to be fully responsive to the present Office Action. Based on the foregoing Amendment and Remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, Applicant requests allowance. Applicant invites the Examiner to contact the Applicant's undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,  
FOLEY HOAG LLP

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Customer No. 25,181  
Patent Group  
Foley Hoag LLP  
155 Seaport Blvd.  
Boston, MA 02210  
Tel: (617) 832-1241  
Fax: (617) 832-7000

Kevin A. Oliver  
Kevin A. Oliver  
Reg. No. 42,049  
Attorney for the Applicant